

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 99-1151

Garry Dean Ensey,	*	
	*	
Appellant,	*	
	*	Appeal from the United States
v.	*	District Court for the
	*	Eastern District of Arkansas.
Arkansas Board of Pardons & Paroles,	*	
Arkansas Department of Correction;	*	[UNPUBLISHED]
Joelle Deppa, Director, RSVP Program,	*	
	*	
Appellees.	*	

Submitted: May 7, 1999

Filed: May 19, 1999

Before FAGG, HANSEN, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Arkansas inmate Garry Dean Ensey appeals from the district court's¹ dismissal without prejudice of his 42 U.S.C. § 1983 action for failure to state a claim. After

¹The Honorable Stephen M. Reasoner, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Jerry W. Cavaneau, United States Magistrate Judge for the Eastern District of Arkansas.

carefully reviewing the record and Mr. Ensey's brief, we conclude dismissal without prejudice was proper for the reasons the district court stated and that an extended discussion is not warranted. Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.